

May 25, 1989

Docket No. 50-423

DISTRIBUTION  
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Mr. Edward J. Mroczka  
Senior Vice President  
Nuclear Engineering and Operations  
Northeast Nuclear Energy Company  
Post Office Box 270  
Hartford, Connecticut 06141-0270

Dear Mr. Mroczka:

SUBJECT: MILLSTONE UNIT 3 - ISSUANCE OF AMENDMENT (TAC NO. 72701)

The Commission has issued the enclosed Amendment No. 35 to Facility Operating License No. NPF-49 for Millstone Nuclear Power Station, Unit No. 3, in response to your application dated March 10, 1989.

The amendment changes Facility Operating License No. NPF-49, Paragraph 1.A., to delete the City of Burlington, Vermont, as a licensee for Millstone Unit 3.

A copy of the related Safety Evaluation is also enclosed. The notice of issuance will be included in the Commission's bi-weekly Federal Register notice.

Sincerely,

David H. Jaffe, Project Manager  
Project Directorate I-4  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 35 to NPF-49
2. Safety Evaluation

cc w/enclosures:  
See next page

LAH PDI-4  
B. Morris  
05/9/89

PM: PDI-4  
DJaffe:bd  
05/9/89

PTSB  
WLambe  
05/9/89

PGSB  
JPeterson  
05/9/89

OGC  
05/11/89

D: PDI-4  
JStolz  
05/9/89

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DATED: May 25, 1989

AMENDMENT NO.35      TO FACILITY OPERATING LICENSE NO.

Docket File  
NRC & Local PDRs  
PDI-4 Reading  
SVarga, 14/E/4  
BBoger, 14/A/2  
JStolz  
SNorris  
DJaffe  
OGC (for information only)  
DHagan, 3302 MNBB  
EJordan, 3302 MNBB  
BGrimes, 9/A/2  
TMeek (4)  
Wanda Jones  
EButcher, 11/F/23  
ACRS (10)  
GPA/PA  
ARM/LFMB  
WLamb  
JPeterson

cc: Plant Service list

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JPeterson

cc: Plant Service list

Mr. E. J. Mroccka  
Northeast Nuclear Energy Company

Millstone Nuclear Power Station  
Unit No. 3

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Burlington, Vermont 05402



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 35  
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Northeast Nuclear Energy Company, et al. (the licensee) dated March 10, 1989, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

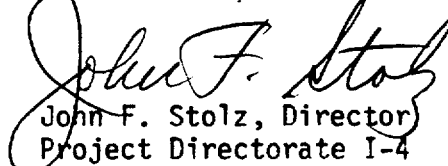
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2. Accordingly, the license is amended by changing the footnote for Paragraph 1.A, which shall read as follows:

\*Northeast Nuclear Energy Company is authorized to act as agent and representative for the following Owners: Central Maine Power Company, Central Vermont Public Service Corporation, Chicopee Municipal Lighting Plant, Connecticut Municipal Electric Energy Cooperative, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Massachusetts Municipal Wholesale Electric Company, Montaup Electric Company, New England Power Company, Public Service Company of New Hampshire, The United Illuminating Company, The Village of Lyndonville Electric Department, Western Massachusetts Electric Company, and Vermont Electric Generation and Transmission Cooperative, Inc., and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

3. This license amendment is effective as of the date of its issuance, to be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



John F. Stolz, Director  
Project Directorate I-4  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation

Date of Issuance: May 25, 1989



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 35

TO FACILITY OPERATING LICENSE NO. NPF-49

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

DOCKET NO. 50-423

INTRODUCTION

By application for license amendment dated March 10, 1989, Northeast Nuclear Energy Company, et al. (the licensee), requested a change to Millstone Unit 3 Facility Operating License (FOL) No. NPF-49. The proposed change would delete the City of Burlington, Vermont, from the list of licensees contained in the footnote to Paragraph 1.A. of FOL No. NPF-49.

DISCUSSION AND EVALUATION

In a letter dated February 13, 1989, the City of Burlington informed the NRC of a transfer of a minor percentage ownership share between two of the existing licensees of Millstone Unit No. 3 effective as of February 15, 1989. Specifically, the change involves the transfer of the 0.0435% joint ownership interest of the City of Burlington, Vermont, to the Connecticut Municipal Electric Energy Cooperative (CMEEC). The transfer will be considered closed in full at such time as the terms of an escrow agreement referring to compliance with the NRC requirements for approval of the transfer have been met. Both the City of Burlington and the CMEEC have been associate participants in Millstone Unit No. 3 as provided in the Sharing Agreement dated September 1, 1973. This transfer involves a very small percentage of the ownership. This transfer is in accordance with Section 22 of the Sharing Agreement as the City of Burlington offered its share to the other lead and associate participants within the time frame for decision provided in the Sharing Agreement. Only the CMEEC expressed interest in purchasing the City of Burlington's share. This transfer is similar, in all significant respects, to the transaction approved in a November 24, 1986 letter from E. Doolittle of the NRC staff to J. Opeka of Northeast Nuclear Energy Company. At that time, the City of Burlington, Vermont, had transferred a .3215% interest in Millstone Unit 3 to the Connecticut Light and Power Company (CL&P), also a licensee of Millstone Unit 3. The current transaction involves the transfer of .0435% interest in Millstone Unit 3 to CMEEC, and would end the participation of City of Burlington, Vermont, in ownership of Millstone Unit 3.

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The proposed change to the license does not involve a change in the safety analysis, the Technical Specifications or day-to-day operation of the facility. In light of the fact that, a) the transaction involves the transfer of a very small ownership share, b) between two small participants in the Millstone facility, and c) conforms with the Sharing Agreement signed by all of the Millstone participants, the staff has determined that the proposed license amendment is acceptable.

#### ENVIRONMENTAL CONSIDERATION

This amendment is administrative in nature. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

#### CONCLUSION

We have concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Dated: May 25, 1989

Principal Contributor: D. Jaffe